2: Mitchell E-5 (1946-1949) 1956 FT7 Yao FT7

is his relatives that are the village gods. Everyone that lives in the village recognizes these gods but if anyone removes to another village he changes his gods. He now recognizes the gods of his new chief. One wishing to pray to the god (or gods) of any village naturally desires to have his prayers presented through the village chief, because the latter is nearly related to the village god, and may be expected to be better listened to than a stranger.[1]

In this quotation the word 'chief' is used for village headman. In Yao the same term is used for both the chief of the country and the chief of the village (*mwenye*).

It is clear from MacDonald's description that foreign villages were looked upon as undifferentiated wholes. When discussing punishment in general he writes:

We find that almost every offence may be punished by death, but when an offender is not redeemed, the particular punishment is left to the headman of the injured party. For instance, if a headman of Kumpuma's go and say, 'Chenyoso has killed a subject of mine; I have caught a subject of his and want to kill him,' the chief's answer will be, 'He has done you wrong, do according to your heart (*poli mtima wenu*).' The punishment is thus inflicted not by the criminal's own chief, but by the injured party, and it may fall, not on the guilty person, but on one connected with him.[2]

For example, he describes how some children had been carried off from Che Lomoni's village one night in 1880.

Towards the end of 1880 [he recounts], Che Lomoni, a Blantyre headman, captured two men from Mpingwi, and put them in slave-sticks. They belonged to the village that had kidnapped the children a few months before, and native law did not require proof that the men were personally guilty. They were undoubtedly innocent. Still they were kept in close confinement till their friends returned the captives in February.[3]

The village headman—called the 'owner of the village' (*anyene mudi*)—was the representative of the village in all public transactions, and also the representative of such higher authority as existed, to the village members. Duff MacDonald writes: 'A chief represents and is responsible for all his people. If anyone wish to treat with a native village it is with the village

[1] MacDonald, *Africana*, i, 65.
[2] MacDonald, *Africana*, i, 186. [3] MacDonald, *Africana*, ii, 234.